

Approved, SCAO

Original - Garnishee (Part 2)

1st copy - Court (Part 2)

2nd copy - Defendant (Part 2)

3rd copy - Return (proof of service) (Part 2)

4th copy - Plaintiff/Attorney (proof) (Part 2)

• **STATE OF MICHIGAN**
 _____ **JUDICIAL DISTRICT**
 _____ **JUDICIAL CIRCUIT**

**REQUEST AND WRIT FOR GARNISHMENT
 (NONPERIODIC)**

• **CASE NO.**

2:18-cv-11955-GAD-RSW

Court address

• Zip code

Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226

(313) 234-5005

Court telephone no.

Plaintiff's name and address (judgment creditor)

Edwina Theresa Sellers
 16500 North Park Dr.
 Southfield, MI 48075

Plaintiff's attorney, bar no., and address

- Nathan C. Volheim (6302103)
- 2500 South Highland Ave., Ste. 200
- Lombard, IL 60148
- Telephone no.
 (630) 575-8181 ext. 113

Defendant's name and address (judgment debtor)

Direct Recovery Services, LLC
 629 7th Ave, Ste. 1
 Two Harbors, MN 55616

**U.S. DISTRICT COURT
 FLINT, MICHIGAN**

Account no.

Garnishee name and address

Wells Fargo Bank, N.A.
 101 N. Phillips Avenue
 Sioux Falls, SD 57104

REQUEST See instructions for item 2 on other side.

1. Plaintiff received judgment against defendant for \$ 30,066.29 on October 2, 2018.
2. The total amount of judgment interest accrued to date is \$ 748.17. The total amount of postjudgment costs accrued to date is \$ 0.00. The total amount of postjudgment payments made and credits to date is \$ 0.00. **The amount of the unsatisfied judgment now due (including interest and costs) is • \$ 30,814.46.**
3. Plaintiff knows or with good reason believes the garnishee is indebted to or possesses or controls property belonging to defendant.
4. **Plaintiff requests** a writ of nonperiodic garnishment.

I declare that the statements above are true to the best of my information, knowledge, and belief.

02/26/2019

Date

/s/ Nathan C. Volheim (6302103)

Plaintiff/Agent/Attorney signature

WRIT OF GARNISHMENT

To be completed by the court. See other side for additional information and instructions.

TO THE PLAINTIFF: You must provide all copies of the disclosure form (MC 14), two copies of this writ for serving on the garnishee, and a \$1.00 disclosure fee for serving on the garnishee. You are responsible for having these documents served on the garnishee within 182 days. If the disclosure states that the garnishee holds property **other than money** belonging to the defendant, you must motion the court within 56 days after the disclosure is filed for an order to apply the property toward the judgment. **NOTE:** The social security number field is blacked out for security reasons on all parts except the garnishee copy.

TO THE DEFENDANT: See separate instructions.

1. Do not dispose of any negotiable instrument representing a debt of the garnishee or any negotiable instrument of title representing property in which you claim an interest held in the possession or control of the garnishee.
2. You have **14 days** after this writ is mailed or delivered to you to file objections with the court. If you do not take this action within this time, without further notice, the property or debt held under this writ may be applied to the judgment **28 days** after this writ was mailed or delivered to the garnishee.

TO THE GARNISHEE:

1. Within **7 days** after you are served with this writ, you must deliver a copy of this writ to the defendant in person or mail a copy to his or her last-known address by first-class mail.
2. Deliver no tangible or intangible property and pay no obligation to the defendant unless allowed by statute or court rule.
3. Within **14 days** after you are served with this writ, you must deliver or mail copies of your verified disclosure (form MC 14) to the court, plaintiff/attorney, and defendant. A default may be entered against you for failure to comply with this order.
4. If indebted to the defendant, you must withhold an amount not to exceed the amount of the judgment stated in item 2 of the request. Payment of withheld funds must be made **28 days** after you are served with this writ unless notified that an objection has been filed. **You are ordered to make the payment withheld under this writ payable to:**

and mail it to: ☒ the plaintiff ☐ the plaintiff's attorney ☐ the court
☐ the plaintiff ☒ the plaintiff's attorney ☐ the court.

5. If you hold property other than money belonging to the defendant, do not transfer it until further order of the court.

Date of issue

Expiration date for service

Deputy court clerk